

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

November 20, 2006

CALL TO PODIUM:

Jacqueline Marsh

RESPONSIBLE STAFF:

Jacqueline Marsh, Planner

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
x	Historic District Commission
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
x	Other: Certificate of Approval

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:

HISTORIC DISTRICT COMMISSION
Approval of Certificate of Approval:
HAWP-48D Applicant: Joseph LaVoie
5 Walker Avenue, Tree Removal

SUPPORTING BACKGROUND:

At their meeting of November 2, 2006, the HPAC held a public hearing on this application for a tree removal request at 5 Walker Avenue. This is a contributing resource to the Brookes, Russell, Walker Historic District.

The applicant is requesting to remove a hazardous maple tree that is located in the front yard of the property.

The HPAC unanimously recommended approval, finding the request to be in compliance with Secretary of Interior Standard One, which states a property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. The applicant is not changing the historic building in any way and this necessary change is not a significant alteration to the environment. This application is also in conformance with the design guidelines of the Brookes, Russell, Walker Historic District.

Staff and HPAC recommend the HDC make the following motion:

Grant approval of HAWP-48D and issue the Certificate of Approval, finding, based on the record before HPAC and for the reasons articulated by HPAC, that the application meets Secretary of Interior Standard One and the Brookes, Russell, Walker Historic District Guidelines.

DESIRED OUTCOME:

Vote on HAWP-48D.

HPAC Public Hearing – November 2, 2006
HDC Review – November 20, 2006

**INDEX OF MEMORANDA
HAWP-48D**

**Applicant: Joseph LaVoie
5 Walker Avenue
Tree Removal**

Number	Exhibit
1.	Application
2.	Photographs of tree
3.	Tree Inventory information for 5 Walker Avenue
4.	Notice to include legal ad for public hearing in the October 25, 2006, <i>Gaithersburg Gazette</i>
5.	Public hearing notice, sent out October 23, 2006, to the required parties
6.	By Reference: Brookes, Russell, Walker Historic District Guidelines
7.	By Reference: Annotated Code of Maryland, Article 66B, Historic Resources
8.	By Reference: Secretary of Interior Standards for Rehabilitation
9.	By Reference: HD-14 Designation Documents
10.	By Reference: Qualifications of HPAC, HDC, and staff
11.	By Reference: Historic Preservation Ordinance

HISTORIC AREA WORK PERMIT APPLICATION

In accordance with Chapter 24, Article XII of the City Code.

Application Number	<u>HAWP-48D</u>
Date Filed	<u>10/10/06</u>
Application Completed	<u>10-25-06</u>
HPAC Hearing/Review	<u>11-2-06</u>
HDC Hearing/Review	<u>11-20-06</u>
Decision	_____
Date of Decision	_____

1. SUBJECT PROPERTY

Address 5 Walker Ave, Gaithersburg MD 20877
 Lot _____ Block _____ Subdivision _____
 Tax Account Number _____

2. APPLICANT/OWNER/AUTHORIZED AGENT

Name Joseph Lavoie Telephone 301 258 8262
 Address 5 Walker Avenue, Gaithersburg MD 20877

3. OWNER OF RECORD (IF NOT APPLICANT)

Name _____ Telephone _____
 Address _____

2. TYPE OF WORK (CHECK APPROPRIATE)

- ☒ Visible from public way
☐ Not visible from public way
- | | | | |
|------------------------------------|---|--------------------------------------|---|
| <input type="checkbox"/> Fence | <input type="checkbox"/> Windows | <input type="checkbox"/> Additions | <input type="checkbox"/> New Construction |
| <input type="checkbox"/> Signage | <input type="checkbox"/> Siding | <input type="checkbox"/> Relocation | <input type="checkbox"/> In-kind Replacement |
| <input type="checkbox"/> Parking | <input type="checkbox"/> Roofing | <input type="checkbox"/> Restoration | <input type="checkbox"/> Utilities (meters, cables, etc.) |
| <input type="checkbox"/> Landscape | <input type="checkbox"/> Accessory Building | <input type="checkbox"/> Demolition | <input checked="" type="checkbox"/> Miscellaneous |

4. DESCRIPTION OF PROPOSED WORK Removal of hazardous tree. Maple tree in front yard (#300 Tree Inventory) was certified as high hazard in 2004. City of Gaithersburg staff in coordination with PEPCO removed top 50' of tree to below high voltage line. Request permission to remove remaining (20') to ground level. Remaining tree is hollow and hazardous. Pole can be inserted 40" in
5. HISTORIC AREA WORK PERMIT PROCESS AND APPLICATION SUBMISSION REQUIREMENTS (SEE PAGES 2-7) tree base.

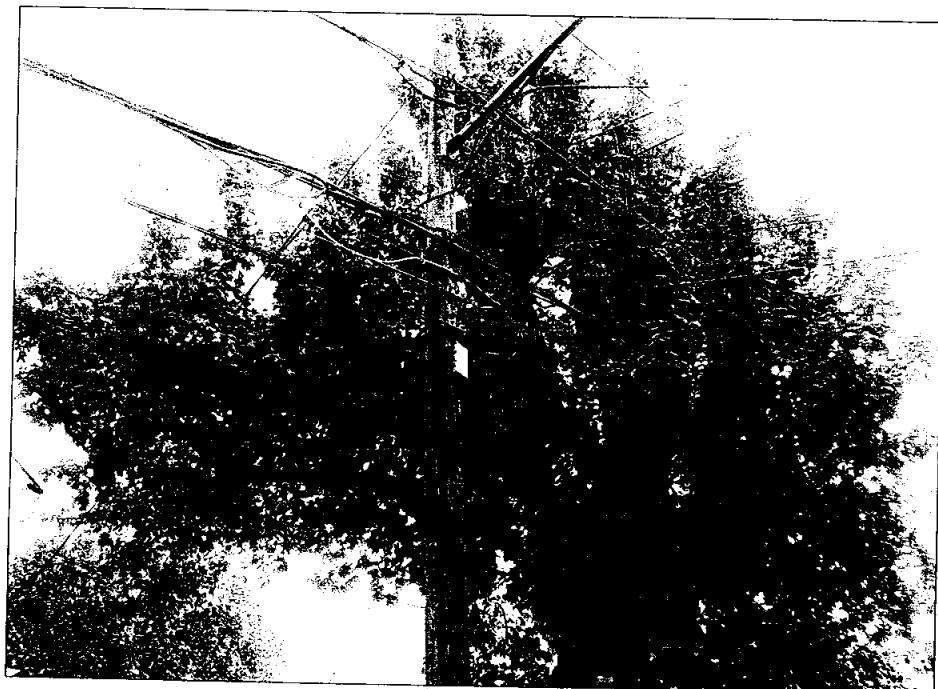
I have read and understand the attached information regarding process and requirements in obtaining a Historic Area Work Permit.

Signature

Joseph C. Lavoie

Date

10/10/06



HPAC 11-2-06
HAWP-48D
#2

PENICAD 800-431-6983

Tree Inventory for Brookes, Russell, Walker Historic District



3, 5 and 7 Walker Avenue

HPAC 11-2-06
HAWP-48D
#3

City of Gaithersburg Historic District Tree Inventory

Prepared by
the Care of Trees, Inc.

INV#	Location	Street	MHO	PB	APS	No.	of total	Species	dbh	cond	PR	RM	CB	HE	IPM	Wires	SW	Comments
298	Right center	"				5	11	Colorado blue spruce	14	2					1			
299	Right rear corner	"				6	11	Norway maple	16	3	3							Vines
300	Right rear side	"				7	11	Norway maple	12	2	3							Crowded by #299
301	Right left side	"				8	11	Norway maple	11	3								
302	Right center	"				9	11	Saucer magnolia	10/13/16	3	3							Thin suckers
303	Right center	"				10	11	European chestnut	44	4	2		X					
304	Right center	"				11	11	European chestnut	38	3	2		X					Weight reduction
305	Front center	7 Walker Ave.	No			1	3	Silver maple	46	1		2		X		X	X	Major deadwood over road
306	Right center	"				2	3	Silver maple	36	5/4			X					
307	Right rear side	"				3	3	Virginia red cedar	22	3	3							Deadwood
308	Front Right corner	5 Walker Ave.	Yes			1	1	Norway maple	36	2				X		X	X	Decay in trunk, resistograph done 5/27
309	Right center	3 Walker Ave.	No			1	1	Norway maple	13	3								
310	Right left side	2 Walker Ave.				1	6	Black locust	35	1				X				Basal decay, vines, over parking lot
311	Right left side	"				2	6	Black locust	38	1		1						Take down ASAP, hazard, over parking lot
312	Right left side	"				3	6	Black locust	40	1				X				
313	Right left side	"				4	6	Black cherry	13	2	3							Leans towards house, house clearance
314	Front center	"				5	6	Norway maple	11	3	2							Sidewalk, road clearance
315	Front left side	"				6	6	Norway spruce	24	3	3				1			House clearance
316	Right left side	4 Walker Ave	No			1	11	Red mulberry	14	2	2							
317	Right center	"				2	11	Red mulberry	14	2	2							

Key: MHO=met homeowner; PB=public tree; APS=avail planting space; PR=pune; RM=remove; CB=cable; HE=hazard eval; IPM=plant health care priority level; 1=urgent; 2=medium; 3=low
 Condition Key: 5=excellent; 4=very good; 3=good; 2=fair; 1=poor D=dead/dying



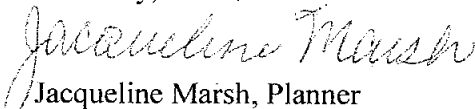
October 20, 2006

Ashby Tanner, Law Section
The Gaithersburg Gazette
P.O. Caller 6006
Gaithersburg, Maryland 20884

Dear Ashby:

Please publish the following legal advertisement in the **October 25, 2006**, issue of the *Gaithersburg Gazette*.

Sincerely,


Jacqueline Marsh, Planner
Planning and Code Administration

ASSIGN CODE: HAWP-48D

NOTICE OF PUBLIC HEARING

The Historic Preservation Advisory Committee of the City of Gaithersburg will conduct a public hearing on HAWP-48D, filed by Joseph LaVoie, on

**THURSDAY
NOVEMBER 2, 2006
AT 7:30 P.M.**

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

The application requests a certificate of approval from the City's Historic District Commission for tree removal at **5 Walker Avenue**. §24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 32, of the Walker's Addition to Gaithersburg, is a contributing resource to the Brookes, Russell, Walker Historic District.

Further information may be obtained from the Planning and Code Administration Department at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday.

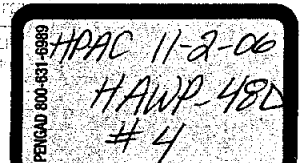
Jacqueline Marsh, Planner
Planning and Code Administration
Acct# 133649

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • cityhall@gaitthersburgmd.gov • www.gaithersburgmd.gov

MAYOR
Shirley A. Katz

COUNCIL MEMBERS
Stanley L. Alster
Cecilia E. Edens
Hector E. Naranjo, Jr.
John B. Schlichling
Michael A. Sosna

CITY MANAGER
David B. Thompson





Gaithersburg

A CHARACTER COUNTS! CITY

CITY OF GAITHERSBURG
31 South Summit Avenue
Gaithersburg, Maryland 20877
Telephone: 301-258-6330

NOTICE OF PUBLIC HEARING

The City of Gaithersburg Historic Preservation Advisory Committee will conduct a public hearing at the time and place noted below.

Meeting: **Historic Preservation Advisory Committee**
Application Type: **Historic Area Work Permit Request**
File Number: **HAWP-48D**
Location: **5 Walker Avenue**
Lot 32 of Walkers Addition to Gaithersburg
Applicant: **Joseph LaVoie**
Development: **Brookes, Russell, Walker Historic District**
Day/ Date/Time: **Thursday, November 2, 2006, 7:30 p.m.**
Place: **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL**
31 SOUTH SUMMIT AVENUE

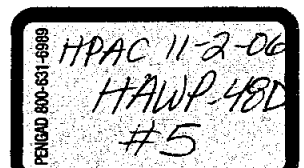
*****IMPORTANT*****

The application requests a certificate of approval from the City's Historic District Commission for tree removal at **5 Walker Avenue**. Section 24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 32, Walkers Addition to Gaithersburg, is a contributing resource to the Brookes, Russell, Walker Historic District. Contact the Planning and Code Administration City Planner (listed below) at (301) 258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

CITY OF GAITHERSBURG

By: Jacqueline Marsh
Jacqueline Marsh, Planner
Planning and Code Administration

SEE LOCATION MAP ON REVERSE SIDE



NOTICES SENT THIS 20th DAY OF OCTOBER, 2006, TO:

APPLICANT AND INTERESTED PARTIES

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

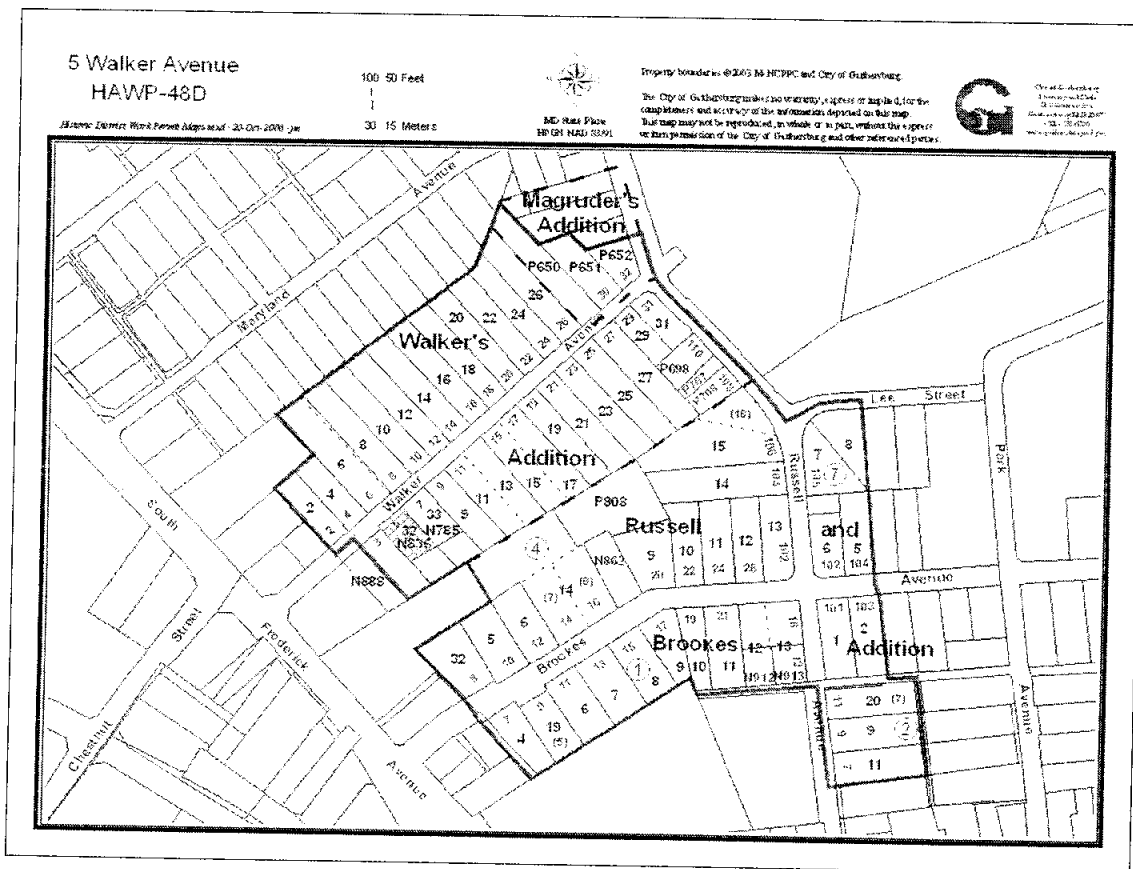
HISTORIC PRESERVATION ADVISORY COMMITTEE

HISTORIC DISTRICT COMMISSION

CITY STAFF

David B. Humpton, City Manager
Frederick J. Felton, Assistant City Manager
Tony Tomasello, Assistant City Manager
Cathy Borten, City Attorney
Britta Monaco, Public Information Director
Doris Stokes, Administrative Assistant
Jeff Baldwin, City Web Administrator (via email)

LOCATION MAP



7A110-405
GRACE UNITED METHODIST CH
TR OF GAITHERSBURG METHODIST
119 N FREDERICK AVE
GAITHERSBURG MD 20877

OCCUPANT
8 BROOKES AVE
GAITHERSBURG MD 20877

OCCUPANT
205 N FREDERICK AVE
GAITHERSBURG MD 20877

OCCUPANT
12 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
14 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
12 BROOKES AVE
GAITHERSBURG MD 20877

OCCUPANT
16 BROOKES AVE
GAITHERSBURG MD 20877

OCCUPANT
3 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
5 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
7 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
9 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
14 BROOKES AVE
GAITHERSBURG MD 20877

OCCUPANT
2 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
4 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
6 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
8 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
OR CURRENT RESIDENT
10 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
OR CURRENT RESIDENT
11 WALKER AVE
GAITHERSBURG MD 20877

OCCUPANT
OR CURRENT RESIDENT
10 BROOKES AVE
GAITHERSBURG MD 20877

OCCUPANT
OR CURRENT RESIDENT
117 N FREDERICK AVE
GAITHERSBURG MD 20877

PROVIDENT BANKSHARES CORP
C/O PROPERTY MANAGER-HQFM
114 E LEXINGTON ST
BALTIMORE MD 21202

RODNEY MTRUST THOMPSON
9706 ECLIPSE PL
MONTGOMERY VILLAGE MD 20886

S & B PARTNERSHIP
OR CURRENT RESIDENT
% SANFORD K AIN
1900 M ST NW #601
WASHINGTON DC 20036

